

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## S-EVERGREEN HOLDING CORP.,

Plaintiff,

V.

AON RISK INSURANCE SERVICES WEST  
INC.

**Defendant.**

Case No. C19-1589-RSL-TLF

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge (Dkt. # 71), defendant's objections to the Report and Recommendation (Dkt. # 72), plaintiff's opposition to defendant's objections to the Report and Recommendation (Dkt. # 73), and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation;
  2. The Court DENIES summary judgment in accordance with the Report and Recommendation;
  3. The Court DENIES plaintiff's motion to strike the expert report of Frederick Fisher; and
  4. The Clerk of Court is directed to send a copy of this Order to all counsel of record and to the Honorable Theresa L. Fricke.

DATED this 23<sup>rd</sup> day of August, 2022.

Mrs Casnik

Robert S. Lasnik  
United States District Judge

## **ORDER ADOPTING REPORT AND RECOMMENDATION - 1**